

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

Willie Washington,

Plaintiff,

vs

Case No. 2:20-cv-10149

Hon. Stephen J. Murphy, III

Mag. Patricia T. Morris

**Thomas Bartoli, Jonathon Dominka,
Semin Ibranovic, and Brandon Spezia,**

Defendants.

Willie Washington

Prisoner # 239592

Pro Se

Oaks Correctional Facility

1500 Caberfae Highway

Manistee, MI 49660

John A. Schapka (P36731)

Macomb County Corporation Counsel

Attorney for Defendants

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Mount Clemens, MI 48043

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DEFENDANTS' SETTLEMENT STATUS UPDATE

In accordance with the Court's October 8, 2024 Order, ECF No. 73,
Defendants offer the following matters:

1. This civil matter seeking money damages arises from Plaintiff's allegations that Defendants gratuitously subjected Plaintiff to excessive force while Plaintiff was in Defendants' custody in the Macomb County Jail.
2. On June 25, 2024, the Court conducted a settlement conference during which Plaintiff accepted Defendants' offered sum as full settlement of his

claims against Defendants.

3. On July 3, 2024, the undersigned formally sought and obtained the Macomb County Board of Commissioners' authorization to settle the case for the sum agreed upon.
4. A waiver and release documenting the settlement were then forwarded to Plaintiff for his signature.
5. By letter post-marked July 11, 2024, Plaintiff acknowledged his receipt of the waiver and release, his refusal to sign it, and his repudiation of the settlement agreed upon just three weeks earlier.
6. The Court now specifically inquires, and Defendants respond as follows:
 - a. Whether Defendants have dispersed the settlement proceeds. No, in the absence of a signed waiver and release, Defendants cannot disperse the settlement proceeds to Plaintiff.
 - b. Whether Plaintiff has received the settlement proceeds. No, Plaintiff has not received the settlement proceeds because in the absence of a signed waiver and release, the proceeds cannot be dispersed to Plaintiff.

DATE: October 15, 2024

Respectfully submitted,
/s/ John A. Schapka
John A. Schapka (P36731)
Macomb County Corporation Counsel
john.schapka@macombgov.org

I hereby certify that on October 15, 2024, I electronically filed the foregoing paper with the Clerk of the Court using the ECF filing system which will forward notification of such filing to the following: all counsel of record; I further certify that I have caused the paper to be sent by United States Postal Service mail to the following non ECF participant: Willie Washington, #239592, Oaks Correctional Facility, 1500 Caberfae Highway, Manistee, Michigan 49660.

/s/ John A. Schapka

John A. Schapka (P36731)

Macomb County Corporation Counsel

john.schapka@macombgov.org

DATE: October 15, 2024